

REMARKS

As a preliminary matter, Applicants appreciate the Examiner's indication that claims 1-3, 6-7, 11-13, 15-16 and 20-25 are allowed.

Claims 1, 11, 20-22 and 24 stand objected to because of informalities. More specifically, the Examiner requests the word "distance" to be changed to "spacing" for clarity. In order to expedite prosecution, Applicants amended the claims as suggested by the Examiner. On page 2 of the Office Action, the Examiner states that "The specification discloses this distance to be a space." In the specification of the present application, five "spaces" are described (one in page 7, line 6; one in page 7, line 25; two in page 11, line 29; and one in page 14, line 36). However, none of these "spaces" defines the distance between the end of the shroud and the surface of the spoiler. On the other hand, this distance is clearly defined in the specification (page 8, lines 13-16) as "a distance between a downstream end 71 of the shroud 70 and an air-receiving surface 81 of the spoiler 80 is supposed to be 5 mm, but the distance may be shorter. Withdrawal of the objection is respectfully requested.

Claims 5 and 14 stand rejected under 35 U.S.C. 112, second paragraph as being indefinite. In response, Applicants added new claims 26-27 and amended claims 5 and 14 to depend from claims 26 and 27, respectively. Accordingly, withdrawal of the §112 rejection is respectfully requested.

Claims 17-19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Takeshi et al. (JP 7-320478). Applicants traverse the rejection because the cited reference

fails to disclose (or suggest) a disk unit that includes, among other things, an air flow-regulating member for receiving and regulating air flow generated by disk rotation so as to prevent the air flow from flowing toward the actuator, as recited in claim 17.

On page 3, item 6 of the Office Action, the Examiner states that Takeshi discloses a disk unit that includes an actuator (including elements 3, 4, and 5) and an air flow-regulating member 7 for receiving and regulating air flow generated by disk rotation so as to prevent the air flow from flowing toward the actuator. However, the device of Takeshi has air flowing toward the actuator.

More specifically, paragraph [0026] of Takeshi teaches an upstream-side isolation means 7 and an arm rotary shaft 4 which guide a disk peripheral air current C so that the disk peripheral air current C flows into the downstream-side isolation means 8. Accordingly, based on this description and Fig. 1 of Takeshi, Applicants believe that the upstream-side isolation means 7 causes air to flow toward the support arm 3, which includes the actuator as noted by the Examiner. Therefore, the upstream-side isolation means 7 does not prevent air flow from flowing toward the actuator that is generated during disk rotation, as recited in claim 17 of the present invention. For this reason, withdrawal of the §102 rejection of independent claim 17 and its depending claims 18-19 is respectfully requested.

New claims 26 and 27 are added and correspond to independent claims 20 and 21 as rejected in the Office Action of July 1, 2004. Applicants respectfully request allowance of new claims 26-27 because Genheimer fails to teach or suggest a recording surface that is

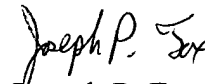
at least 1 mm inward of a peripheral edge of the disk. Accordingly, Applicants earnestly solicit allowance of new claims 26-27 and their depending claims 5 and 14, respectively.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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